



THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF
TELECOMMUNICATIONS & ENERGY

NOTICE OF PUBLIC HEARING

May 12, 2006

D.T.E. 06-31

Investigation by the Department of Telecommunications and Energy regarding Bay State Gas Company's compliance with G.L. c. 164, c. 164, § 1E and other staffing matters pursuant to Bay State Gas Company, D.T.E. 05-27 (2005).

On March 24, 2006, the Department of Telecommunications and Energy ("Department") opened an investigation to determine whether Bay State Gas Company ("Bay State" or "Company") complies with the staffing level requirements of G.L. c. 164, § 1E as well as to review a number of related topics concerning management control of Bay State by its parent company, NiSource, Inc. Bay State Gas Company, D.T.E. 05-27, at 417-419 (2005). To assist in that determination, the Department required Bay State to file a petition and pre-filed testimony by April 18, 2006.

The Department has docketed this matter as D.T.E. 06-31. Bay State's rates will not change as a result of this filing.

The Department has scheduled a public hearing to receive comment on the Company's filing at the Department of Telecommunications and Energy, One South Station - 2nd Floor, Boston, Massachusetts 02110 at **2:00 p.m. on Friday, June 2, 2006**. Persons interested in commenting on the Company's filing may appear at the public hearing or file written comments with the Department by the close of business (5:00 p.m.) on **Wednesday, May 31, 2006**. A procedural conference will be held in Boston at the Department's offices immediately following the public hearing.

Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with Mary L. Cottrell, Secretary, Department of Telecommunication and Energy not later than the close of business (5:00 p.m.) on Wednesday May 31, 2006. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department - not mailing - constitutes filing and determines whether a petition has been timely filed. A late-filed petition may be disallowed as untimely, unless good cause is shown for waiver pursuant

to 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A § 10.

An original of all written comments or petition to intervene must be filed with Mary L. Cottrell, Secretary, Department of Telecommunication and Energy, One South Station - 2nd Floor, Boston, Massachusetts 02110. One copy of all written comments and petitions to intervene also must be sent to Caroline M. Bulger, Paul E. Osborne, Elizabeth Jackson, James Byrnes, and Glenn Shippee at the Department, and to the counsel of the Company: Patricia French, Bay State Gas Company, 300 Friberg Parkway, Westborough, MA 01581; and, Robert Dewees, Jr. Nixon Peabody LLP, 100 Summer Street, Boston, MA, 02110.

All written comments also should be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dte.efiling@state.ma.us and caroline.bulger@state.ma.us; or (2) on a 3.5" disk. The text of the e-mail or the disk label must specify: (1) the docket number of the proceeding (D.T.E. 06-31); (2) name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing also should include the name, title, and telephone number of a person to contact in the event of questions about the filing. Text responses should be created in either Corel WordPerfect, Microsoft Word, or as an Adobe-compatible PDF file. Data or spreadsheet responses should be compatible with Microsoft Excel. All comments submitted in electronic format will be posted on the Department's Web site: <http://www.mass.gov/dte/>.

A copy of the filing is available for public viewing during regular business hours at the offices of Bay State Gas Company, 300 Friberg Parkway, Westborough, MA 01581; and at the offices of the Department, One South Station - 2nd Floor, Boston, Massachusetts 02110. Any person desiring further information regarding the Company's filing should contact counsel for Bay State, Patricia French, at 508-836-7394. (Any person desiring further information regarding this notice should contact Caroline M. Bulger, Hearing Officer, Department of Telecommunications, at 617-305-3500.)

The filing is also available on the Department's Website: <http://www.mass.gov/dte/>.



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ORDER OF NOTICE

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Bay State Gas Company shall publish the attached legal notice in either The Boston Globe or the Boston Herald, and in The Eagle Tribune, The Enterprise, Union-News/Sunday Republican, once at least fourteen (14) days prior to June 2, 2006, 2006. The Company shall to give notice of this proceeding by first class mail to the participants in D.T.E. 05-27, not later than fourteen (14) days prior to June 2, 2006.

The Company is required to make return of service, to include the original clippings of the newspaper publication, and publication at the time of the public hearing.

By Order of the Department,

s/

Mary L. Cottrell, Secretary

